

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 217**

January 16, 2021

**SUMMARY OF BILL:** Authorizes the termination of a defendant's monitoring services for failure to pay costs associated with such monitoring. Specifies, beginning January 1, 2022, that professional bondsmen acting as a bounty hunter must obtain eight continuing education credits hours, five of which have a specific focus on bounty hunting. Prohibits those who have been convicted of two or more Class A or Class B misdemeanors in the past five years from serving as a bounty hunter. Restricts clothing and representations of a professional bondsman.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- Per the language of this legislation, if the defendant defaults on payments for the costs associated with the use of a transdermal monitoring device, other alternative alcohol or drug monitoring device, or global positioning monitoring device the provider may terminate monitoring services after notifying the court having jurisdiction over the over the defendant and the appropriate local government agency of the provider's termination of monitoring services.
- It is not expected that there will be enough terminations of monitoring devices to significantly impact incarceration rates.
- Any increased workload to courts and local government can be accomplished with existing personnel and resources.
- Pursuant to Tenn. Code Ann. § 40-11-401, each professional bail bondsman or bonding agent is required to obtain eight hours of continuing education credits during each twelve-month period.
- Requiring professional bondsmen acting as a bounty hunter to obtain eight continuing education credits hours, five of which have a specific focus on bounty hunting, will not significantly impact state or local government.
- Pursuant to Tenn. Code Ann. § 40-11-318(b)(2), it is a Class A misdemeanor offense for any person convicted of a felony to serve as a bounty hunter in Tennessee.
- The proposed legislation would further prohibit those who has been convicted of two or more Class A or Class B misdemeanors in the past five years from serving as a bounty hunter, also punishable as a Class A misdemeanor.
- Based on information previously provided by the AOC, there have been zero convictions under Tenn. Code Ann. § 40-11-318 between FY13-14 and FY18-19. Any impact

resulting from expanding the restrictions of those who can serve as a bounty hunter is not expected to impact convictions and will not result in a significant fiscal impact to local government.

- Pursuant to Tenn. Code Ann. § 40-11-318(g) bounty hunters cannot wear, carry, or display on any uniform, badge, shield, card, or other item with the words “agent” or “officer” in any variation.
- Per the language of this legislation, a professional bondsman or the agent of a professional bondsman who is arresting a defendant is prohibited from wearing representations of law enforcement.
- The proposed legislation will not impact the operations of any state department or agency; therefore, it will not result in any significant fiscal impact to state or local government.

### **CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Bojan Savic". The signature is written in a cursive, flowing style.

Bojan Savic, Interim Executive Director

/jg